

Aging Committee JOINT FAVORABLE REPORT

Bill No.: SB-156

AN ACT REQUIRING NURSING HOME FACILITIES TO SPEND AT LEAST EIGHTY PER CENT OF MEDICAID FUNDING PROVIDED BY THE STATE ON

Title: DIRECT CARE.

Vote Date: 3/12/2024

Vote Action: Joint Favorable Substitute

PH Date: 2/29/2024

File No.:

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SPONSORS OF BILL:

Aging Committee

REASONS FOR BILL:

This bill was raised to address the percentage of Medicaid funding that goes towards patient care and ensure a higher percentage is directed to patient care.

The original bill would require nursing homes facilities to spend at least eighty per cent of Medicaid funding provided by the state on direct patience care.

The JFS language (LCO 2830) changes the title of the legislation to "AA Establishing A Task Force To Study Medicaid Reimbursement of Nursing Home Services." It defines who the members of the task force will be, who will appoint them and directs that the task force shall submit a report to the Aging and Human Services Committees in the General Assembly. The report is to be completed by January 1, 2025, and the task force will be terminated on that date.

RESPONSE FROM ADMINISTRATION/AGENCY:

Dept. of Social Services, Commissioner Andrea Barton-Reeves: They offered testimony in **opposition** to this proposal and believe that it would have unintended consequences on total resident care. Their testimony details how it would affect, in an adverse way, adjustments they are already making and pointing out that percentage reimbursement methods work counter to Connecticut's reimbursement system.

Connecticut Aging and Disability Services, Ms. Mairead Painter, State Long-Term Care Ombudsman: Their testimony was in **support** of this bill and its goals. While she is supportive of the goals of the bill, she feels its implementation should be carried out in consultation with the Dept. of Social Services and take into consideration the unique challenges and opportunities presented by the acuity-based payment methodology.

NATURE AND SOURCES IN SUPPORT:

Senator Martin Looney, 11th District: His testimony was in **support** of the bill, and he would expand the requirement to include beyond Medicaid and would require them to include payments from Medicare and private insurers. He would support including additional transparency requirements so that the state and our residents can see how nursing home spend their revenues.

Connecticut Legal Services, Inc., Ms. Jean Mills Aranha, Volunteer Attorney: She submitted testimony in **support** of this proposal. She included detailed substitute language on several sections of the bill recommending several suggestions on how the legislation might be improved.

Mr. Frederic Kaeser, Connecticut Statewide Family Council: He **supports** this proposal. Updating the definition of direct care spending requirement provides better accountability for residents, family members and taxpayers.

Ms. Tricia Mulvey, Family Council Member: She **supports** the bill.

Ms. Teresa Norris, RN: She **supports** this bill. She is an RN with experience in dementia care. It has been her experience that the medical model of a skilled nursing environment does not fully address the residents' psychosocial needs effectively.

Ms. Irma Rappaport, National Advocate: She **supports** bills that will benefit nursing home residents.

Ms. Mary Alice Schulte, RN: She **supports** this proposal.

Ms. Jessica Hill: She **supports** this bill. She shares her personal experiences and observations as her mother has lived in several facilities over the last few years. She believes that more transparency and investment in the direct care of residents.

Ms. Elizabeth Stern, Essential Caregiver Coalition: She is **supportive** of this legislation. She is aware how difficult and confusing the transition to long-term care can be. She knows the vulnerability of a family as they navigate the process of selecting a setting for a loved one and also understand the vulnerability of an older person who enters into an agreement and may not be able to fully understand a housing contract.

Ms. Amy Badomo: She **supports** this bill and asks the Committee to consider the meaning of "direct care". She feels it is not a doctor who stops by to sign off on a prescription or an APN looking at a sore in the mouth and it is not the director making his rounds. She does offer several examples of what it does mean.

Connecticut AFL-CIO, Ed Hawthorne, President: They offered their testimony in **support** of this bill. They believe it will bring our state one step closer to ensuring that nursing homes appropriately spend the Medicaid dollars they receive from the state.

New England Healthcare Employees Union District 1199, Ms. Suzanne Clark, Secretary-Treasurer: Their comments were in **support** of this proposal, and they recommend that the percentage be increased from 80% to 90%.

AARP Connecticut, Ms. Anna Doroghazi, Associate State Director, Advocacy and Outreach: They strongly **support** the intent of this bill and believe that all nursing homes need to adequately fund quality resident care. They also understand that there are concerns about the legislation and are willing to work with stakeholders to seek improvements.

NATURE AND SOURCES OF OPPOSITION:

Leading-Age Connecticut, Ms. Mag Morelli, President: They are in **opposition** to this legislation. They believe that the way the bill is crafted it will lead to unintended operational challenges which do not reflect the realities of nursing home care and services.

Leeway, Inc., Mr. Jay Katz, Executive Director: He offered testimony in **opposition** to the bill. He indicates that Leeway would likely be insolvent, and the state would be forced to take over management of the residential care facility as well as the various housing units which they currently support. Other information they provided offers more negative ramifications of what could occur.

Connecticut Association of Health Care Facilities/Connecticut Center for Assisted Living, Mr. Matt Barrett, President and CEO: They are **opposed** to this legislation because it would leave only 20% funding for all other nursing home services and supports which are substantial and necessary.

Reported by:
Toni Lombardi, Clerk
Richard Ferrari, Assistant Clerk

Date 3/13/24